

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
Northern Division

In the Matter of the Complaint of  
BUCHANAN MARINE, L.P. and  
A.P. FRANZ TRUSTEE OF THE  
BUCHANAN TRUST, as owner pro hac vice  
manager/charterer and owner, respectively,  
of the TUG BUCHANAN 14 for  
exoneration from or Limitation of  
Liability

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Civil Action No. WMN 02 CV 817

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FILED ENTERED  
LODGED RECEIVED

MAR 18 2002

AT BALTIMORE  
CLERK U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
RECEIVED - DEPT

FILED  
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ENTERED  
RECEIVED

\* \* \* \* \*

MAR 18 2002

**RESTRAINING ORDER AND ORDER**

**FOR ISSUANCE OF NOTICE THAT CLAIMS BE FILED**

~~AT BALTIMORE  
CLERK U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
RECEIVED - DEPT~~

BY A.P. Franz Trustee of the Buchanan Trust ("Buchanan Trust"), as owner of and claimant to the TUG BUCHANAN 14, and Buchanan Marine, L.P. ("Buchanan L.P."), manager/charterer/owner pro hac vice of the TUG BUCHANAN 14 (herein collectively, "Buchanan"), having filed a Complaint for Exoneration from or Limitation of Liability pursuant to 46 U.S.C. app. §§ 181-189 for any loss, damage, injury or destruction caused by or resulting from a casualty on or about February 25, 2002 wherein the M/V A.V. KASTNER collided with barges and a dredge being pulled by the TUG BUCHANAN 14, and the TUG SWIFT, or otherwise caused or resulting during the voyage on which the TUG BUCHANAN 14 was engaged, and said Complaint also stating the facts and circumstances on which said exemption from and limitation of liability are claimed, and good cause appearing for the entry, pursuant to Rule F, Supplemental Rules of the Federal Rules of Civil Procedure for Certain Admiralty and Maritime Claims, and United States District Court for the District of Maryland Local Admiralty Rule (f), of a restraining order and order for issuance of notice that claims be filed as prayed for

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in the Complaint, it is hereby

ORDERED that a Notice issue out of this Court against all persons claiming damages for any and all loss, damage, death, injury or destruction or any other claim occasioned by or resulting from the casualty, incident or voyage complained of, citing them to appear before this Court and file their respective claims with the Clerk of this Court, as provided by Rule F(4), Supplemental Rules of the Federal Rules of Civil Procedure for Certain Admiralty and Maritime Claims, not later than forty-five (45) days after the entry of this Order and to serve on or mail to counsel for plaintiffs a copy of such claims, with the right of any claimant desiring to contest the right of plaintiffs to exoneration from or limitation of liability to answer the Complaint on or before the forty-fifth (45<sup>th</sup>) day after entry of this Order; and it is further

ORDERED that said Notice be given by publication thereof in the Baltimore Sun and the Norfolk Pilot newspapers once a week for four successive weeks prior to the forty-fifth (45<sup>th</sup>) day after entry of this Order, and that on or before the date of the second such publication a copy of the Notice be mailed to every person or entity known to have made any claim against the TUG BUCHANAN 14 or plaintiffs arising out of the casualty and incident of February 25, 2002 described in the Complaint, or the voyage on which the TUG BUCHANAN 14 was then engaged and to any decedent at the last known address of such decedent; and it is further

ORDERED that at the beginning or prosecution against the TUG BUCHANAN 14 or plaintiffs (or, against any of their officers, agents, servants, or employees), of any and all suits, actions or proceedings of any nature or description whatever other than this action, in respect of any claim arising out of, consequent upon, or in connection with the casualty which took place on or about February 25, 2002, or the voyage upon which the TUG BUCHANAN 14 was then

engaged, be and hereby is stayed and restrained until the hearing and determination of this action and until further order of this Court; and it is further

ORDERED, that the service of this Order as a restraining order may be made by delivering a copy of this Order to the person or entity to be restrained or to his or its counsel of record in any suit, action or proceeding, or by mailing a copy of this Order by regular first-class mail and certified mail, return receipt requested, to the person or entity to be restrained or to his or its counsel of record in any suit, action or proceeding.

SO ORDERED this 18 day of March, 2002.

  
United States District Judge